

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE  
PIDDE, JAMES CICHANOFSKY,  
ROGER MILLER, and GEORGE  
NOWLIN,

Plaintiffs,

v.

CNH GLOBAL N.V. and CNH  
AMERICA LLC,

Defendants.

Case 2:04-cv-70592-PJD-PJK

Hon. Patrick J. Duggan, U.S.D.J.

Hon. Paul J. Komives, U.S. Mag. J.

**ADDENDUM TO PROTECTIVE ORDER DATED MAY 9, 2005**  
**(Docket No. 60)**

1. Plaintiffs served a subpoena for documents on John F. Stahl, an expert witness retained by CNH and an employee of Towers Watson, seeking information which Defendants contend is confidential and proprietary information of Towers Watson. Towers Watson has requested that the parties agree to the production of that information on an “Attorneys’ Eyes Only” basis.

2. Material designated as Attorneys’ Eyes Only, and any summary, description, or report containing such information, may be disclosed only to the following persons:

(a) the Court, persons employed by the Court, and stenographers transcribing the testimony or argument at a hearing, trial, or deposition in this action or any appeal therefrom;

(b) any technical and damages consultant and/or expert who has been retained by counsel for Plaintiffs or CNH to provide assistance in this action, with disclosure only to the extent necessary to perform such work;

(c) photocopy, document imaging, and database services and consultants retained by counsel to set up, maintain, and/or operate computer systems, litigation databases, or convert data for inclusion in such databases;

(d) the named Plaintiffs; provided, however, that document computer numbered STAHL00052, shall not be disclosed to the named Plaintiffs as Towers Watson asserts that certain information contained therein is subject to confidentiality obligations owed to certain Towers Watson clients. The named Plaintiffs, and their counsel, do not waive, but instead expressly reserve, the right to seek from the Court a modification of this subsection 2(b) as to document STAHL00052.

(e) the parties' outside counsel of record in this action as specifically set forth below, and their paralegal assistants, law clerks, and clerical employees who are assisting in the prosecution, defense, and/or appeal of this action.

For Plaintiffs:

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For CNH:

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Joshua David Rogaczewski  
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500 North Capitol Street, Northwest  
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3. No information designated as Attorneys' Eyes Only shall be revealed or disclosed, in whole or in part, directly or indirectly, to any individual described in subparagraphs 2(b), 2(c), or 2(d) until that individual has been given a copy of this Order and has duly completed and signed an undertaking in the form attached hereto as Exhibit A, the original of which shall be retained, until the conclusion of this action including all appeals, by counsel for each party who intends to or does disclose to such individual any information designated as Attorneys' Eyes Only.

4. The existing Protective Order shall remain in effect for all documents either previously or hereafter designated under that Order.

It is therefore stipulated and agreed that this Addendum to the Protective Order Dated May 9, 2005 may be entered by the Court to govern the production of documents described herein.

Dated: December 20, 2013

Respectfully submitted,

s/ with consent of Darcie R. Brault  
Darcie R. Brault  
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s/Joshua David Rogaczewski  
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*Attorneys for Plaintiffs*

*Attorneys for CNH Global N.V. and  
CNH America LLC*

**SO ORDERED** this 23rd day of December, 2013.

s/Patrick J. Duggan  
United States District Judge

**EXHIBIT A**

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I, \_\_\_\_\_, hereby declare that:

1. I have carefully read and understand the foregoing Addendum to the Protective Order Dated May 9, 2005 (the "Order") of the United States District Court for the Eastern District of Michigan, in the above-captioned matter.

2. I agree that I will be bound by and will comply with all of the provisions of this Order and I will make no disclosures of information designated as Attorneys' Eyes Only to any person who is not permitted to have access to such information by this Order, as applicable.

3. Upon final determination of this action, I will destroy all information designated as Attorneys' Eyes Only received by me within sixty (60) days after filing of the final order, or I will return such information within sixty (60) days to

the Producing Party. If I destroy such information, I agree to send a letter to the Producing Party confirming the same.

4. I understand that a violation of this undertaking is punishable as a contempt of court and hereby submit to the jurisdiction of this Court for the purpose of enforcement of this Order.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: \_\_\_\_\_

\_\_\_\_\_  
[signature]

\_\_\_\_\_  
[print or type name]

Title:

Business Affiliation:

Address:

Phone: